

Message Text

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44

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 PM-07 INR-10 L-03 NEA-10

NSAE-00 PA-04 RSC-01 PRS-01 SPC-03 USIA-15 TRSE-00

SAJ-01 NSC-10 SS-20 DODE-00 ACDA-19 IO-14 NIC-01

OMB-01 DRC-01 /147 W

----- 105802

P R 291450Z OCT 73

FM USMISSION BERLIN

TO AMEMBASSY BONN PRIORITY 2499

INFO SECSTATE WASHDC 2576

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION NATO

C O N F I D E N T I A L BERLIN 1857

E.O. 11652: GDS

TAGS: PGOV, WB, GE

SUBJECT: SENAT-GDR CONTACTS: GENERAL BK/L

REF: A. BONN 14924

B. BERLIN 1803

1. THANKS TO MISSIONARY WORK ON PART OF EMBASSY AND,
WE GATHER, BRITISH BONN GROUP REPS, ALLIED POLADS
OCTOBER 26 WE ABLE TO AGREE ON FOLLOWING TEXT OF
DRAFT GENERAL BK/L ON SENAT-GDR CONTACTS:

BEGIN TEXT:

1. THE ALLIED KOMMANDATURA TAKES NOTE THAT THE SENAT
HAS ALREADY, ON A NUMBER OF OCCASIONS, SOUGHT THE
ADVICE OF THE ALLIED KOMMANDATURA ON VARIOUS LOCAL
PROBLEMS OF A TECHNICAL, ECONOMIC, ADMINISTRATIVE
OR HUMANITARIAN NATURE, INCLUDING THOSE ENVISAGED
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IN PARAGRAPH 1 OF ANNEX III OF THE QUADRIPARTITE

AGREEMENT OF 3 SEPTEMBER 1971. IT IS ALSO NOTED THAT THE SENAT CONSIDERS THAT SOME OF THESE PROBLEMS MAY REQUIRE CONTACTS AT APPROPRIATE LEVELS BETWEEN THE AUTHORITIES, SERVICES OR ORGANIZATIONS LOCATED RESPECTIVELY IN THE WESTERN SECTORS AND IN THE SOVIET SECTOR.

2. IN THIS CONNECTION, THE ALLIED KOMMANDATURA CONFIRMS THAT THE EXISTING PROCEDURES REMAIN UNAFFECTED, INCLUDING THOSE ENVISAGED IN BK/L(73)21 AND THAT THE FOLLOWING CONSIDERATIONS WILL APPLY TO SUCH CONTACTS:

A) THE ALLIED KOMMANDATURA REQUESTS THAT IT BE CONSULTED IN EACH CASE WHERE THE SENAT ENVISAGES CONTACTS OF THE KIND DESCRIBED IN PARAGRAPH 1 AOB;E;

B) THE ALLIED KOMMANDATURA'S AUTHORIZATION WILL BE REQUIRED BEFORE THE START OF ANY NEGOTIATIONS. THE ALLIED KOMMANDATURA WILL COMMUNICATE SPECIFIC INSTRUCTIONS TO THE SENAT BY WHATEVER MEANS IT CONSIDERS MOST APPROPRIATE. WHATEVER INSTRUCTIONS MAY BE GIVEN IN A PARTICULAR CASE THE OVERALL RIGHTS AND RESPONSIBILITIES OF THE ALLIES WILL REMAIN UNAFFECTED;

C) THE WRITTEN BEGIN BRACKETS EXPLICIT END BRACKETS AUTHORIZATION OF THE ALLIED KOMMANDATURA WILL BE REQUIRED BEFORE THE CONCLUSION OF ANY ARRANGEMENT THAT MIGHT RESULT FROM THE NEGOTIATIONS REFERRED TO IN SUB-PARAGRAPH (B) ABOVE. END TEXT.

3. DRAFT AS IT STANDS INCORPORATES ALL MAJOR FEATURES WE HAVE LONG SOUGHT, WHILE PROVIDING FLEXIBILITY IN REGARD TO MANNER IN WHICH ALLIED APPROVAL WOULD BE GIVEN IN EAST INSTANCE BEFORE NEGOTIATIONS COMMENCE. ONLY POINT ON WHICH WE HAVE NOT BEEN ABLE TO REACH TRIPARTITE AGREEMENT HERE IS IN REGARD TO NATURE OF AUTHORIZATION REQUIRED BEFORE CONCLUSION OF ARRANGEMENTS (PARA 2(C) OF DRAFT). BRITISH AND OURSELVES PREFER TO RETAIN FLEXIBILITY HERE AS WELL AND OPT FOR "EXPLICIT" AUTHORIZATION, WHEREAS FRENCH ARE UNDER CONFIDENTIAL

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INSTRUCTIONS TO INSIST ON "WRITTEN" AUTHORIZATION. THERE ARE SOME INDICATIONS FRENCH MIGHT ACCEPT "EXPLICIT," BUT WE WOULD NOT WISH TO HOLD UP PROJECT OVER THIS DIFFERENCE, INASMUCH AS THERE COULD BE WAYS AROUND EVEN "WRITTEN" AUTHORIZATION SHORT OF BK/L SHOULD ALLIES NOT WISH TO BE TOO INTIMATELY ASSOCIATED WITH A PARTICULAR AGREEMENT.

4. WE URGE APPROVAL FOR GENERAL BK/L BE SOUGHT THROUGH BONN GROUP AS SOON AS POSSIBLE SO THAT WE CAN MOVE AHEAD WITH OTHER PENDING BUSINESS. IN THIS CONNECTION, WE HAVE IMPRESSION THAT FRENCH ARE NOW PREPARED TO BE FORTHCOMING IN RESPONSES TO SENAT IN REGARD TO WATER CONSERVANCY AND RESCUE AGREEMENTS ONCE GENERAL BK/L IS ISSUED.

5. WE HAVE NOT DISCUSSED NEW DRAFT WITH SENAT BUT WOULD WISH TO DO SO AS SOON AS ALLIED EMBASSIES REACH TRIPARTITE AGREEMENT. (THIS WOULD AVOID UNDESIRABLE SITUATION IN WHICH SENAT WOULD BE APPRISED OF DRAFT ONLY AS CONSEQUENCE OF SUBSEQUENT BONN GROUP CONSIDERATION.)KLEIN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WB
Control Number: n/a
Copy: SINGLE
Draft Date: 29 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973BERLIN01857
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: RR
Errors: N/A
Film Number: n/a
From: BERLIN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t1973106/aaaaadwv.tel
Line Count: 129
Locator: TEXT ON-LINE
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A.BONN 14924, B.BERLIN 1803
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 27 JUL 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <27-Jul-2001 by thigpegh>; APPROVED <21-Sep-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SENAT-GDR CONTACTS: GENERAL BK/L
TAGS: PGOV, GE
To: BONN SECSTATE WASHDC LONDON MOSCOW PARIS NATO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005